

East Longmeadow Conservation Commission

60 Center Square

East Longmeadow, Massachusetts 01028

Telephone: (413) 525-5400 - extension 1700 - Facsimile (413) 525-1656

Craig Jernstrom, chair

Michael Carabetta, vice chair

Thomas O'Brien, clerk

René Reich-Graefe

William Arment

Robert Sheets

Anthony Zampiceni

drau@eastlongmeadowma.gov

May 27, 2015

Present were: Chair, Craig Jernstrom; Clerk, Thomas O'Brien, William Arment, Robert Sheets and Anthony Zampiceni. Michael Carabetta and René Reich-Graefe were not present.

Public Meeting – Request for Determination of Applicability, 169 Westwood Avenue

Chair, Craig Jernstrom opened the public meeting. Clerk Thomas O'Brien read the legal notice into the record.

Michael Robie, Realtor said that 169 Westwood Avenue is owned by Rocco Stellato Realty Trust and they would like to subdivide the parcel. He said that there is sufficient frontage and square footage for another building lot and they are proposing to build a house on that lot within the 100 feet of the buffer zone. Mr. Robie said that there is a culvert that cuts through the property and there are wetlands that have been delineated and are completely off the site.

Mr. Jernstrom asked Mr. Robie if he has any idea where they will be putting the driveway. Mr. Robie said as far over as possible on the left side of the house and only a portion of the house is going to be within 100 feet of the buffer. Mr. Robie said presently there is no easement for the culvert that goes through the property and they are proposing to put in a 20 foot easement. Mr. Jernstrom asked if the sewer easement shown exists. Mr. Robie said yes it does and it is part of the property. Mr. Jernstrom said the distance between the foundation and the existing pipe did not appear to be too great. Mr. Robie said that it was 10 feet on both sides and they put it as close to the front of the lot as they could because of the slope in the back. He said according to Pete Levesque the impact is minimal at best because the wetlands are completely off the site, there is one across the street and the other one is past the neighbor's property.

Mr. Arment said the one in question is the 100 foot buffer is across the street, correct. Mr. Robie said correct.

Mr. Jernstrom said some of things he has said in the past with regard to working in and around wetlands is they are not losing the protection from being inside that particular 100 foot buffer zone. He said the only area of concern he has is where the excavation, digging and pouring the foundation 10 feet from where the pipe is. Mr. Arment said that the pipe is owned by DPW so he thinks it would be more of a concern for DPW.

Mr. Robie said that is why they are proposing the easement to protect it.

There being no further discussion and upon motion duly made by Thomas O'Brien and seconded by William Arment, the Commission voted unanimously (5-0) to close the public meeting. Upon motion duly made by Thomas O'Brien and seconded by William Arment, the Commission voted unanimously (5-0) to issue a negative Determination of Applicability because the work described in the Request is within the Buffer Zone, but will not alter an area subject to the protection under the Act. Therefore, it does not require the filing of a Notice of Intent subject to the following condition: erosion controls as shown on submitted plans.

Miscellaneous

Mr. Jernstrom said he will be looking into the best way to address the illegal dumping of grass clippings around the area of 169 Westwood Avenue. Mr. Zampiceni asked who enforces that. Mr. Jernstrom said technically the Commission can send a letter instructing them to remove the clippings and tell them they can't do it any longer. He said that they would have to go to the Board of Selectmen to issue any fines but at this point he thinks sending a letter would be a start.

383 Porter Road violation update

Mr. Jernstrom gave Mr. Zampiceni some background information on the 383 Porter Road violation and told him the owner cut down about 150 trees. He had verbal permission to cut down a couple of trees. The Commission pursued it and sent the owner a letter of enforcement. The owner didn't comply with it so it has been turned over to the state. Mr. Jernstrom said he is waiting to hear from the Mass DEP Attorney Karen Hirschberg so he sent her an e-mail and is waiting to hear back from her.

Monitoring existing projects

Mr. Jernstrom said that he will be working with Ms. Rau to add to the next agenda the monitoring of existing projects. At 99 Mapleshade Avenue he noticed Arment Trucking equipment at and asked Mr. Arment what is going on there. Mr. Arment said that his company has been hired to get the site ready for Artie Rahaim who is going to start to build a house. He said that he will keep the Commission informed as to what is going on with the site. Mr. Jernstrom said if he remembers correctly it's not so much an issue with the house but the issue with the road going in the first 150 – 200 feet. Mr. Arment said that he will be responsible for keeping the Commission up to date.

61 North Main Street update

Mr. Jernstrom said that he visited the site at 61 North Main Street and it looks fantastic. He said that they are using the sock type of erosion control which is so much better and they have done an excellent job at the site with erosion control. They are not tracking anything in or out of the site.

Contest, 40 Spruce Street update

Mr. Jernstrom said that he stopped by Contest at 40 Spruce Street and the opposite is going on at their site. He said that they have no rock or anything down and they need to send them a letter with

regard to the tracking out into the street. Mr. Jernstrom said a silt fence was supposed to be installed at the front Prospect Street side corner of the property. He asked Ms. Rau to check the minutes.

OPDMD regulations

Mr. Jernstrom asked Ms. Rau if she had the chance to ask Ms. Macdonald about the regulations. Ms. Rau said that she has been out and will be back on Monday and will ask her then.

Bella Vista Estates

Mr. Jernstrom said that Pete Levesque had contacted with some questions with regard to Bella Vista Estates. One Notice of Intent was filed for the entire subdivision in 2009. Ms. Rau said that Pete Levesque's question is whether they could move the limit of work line on lot 8 from 50 feet to 25 feet and if yes, would require a Notice of Intent. Mr. Jernstrom said that he will talk with Mr. Kingston who was on the Commission at that time just for an overview of what was approved and will also speak with Mr. Levesque.

There being no further discussion and upon motion duly made by Thomas O'Brien and seconded by Robert sheets, the Commission voted to adjourn at 8:00 p.m.

For the Commission,

Thomas O'Brien, Clerk